

MINUTES OF A SPECIAL MEETING OF THE MADERA CITY COUNCIL CITY OF MADERA, CALIFORNIA

**June 8, 2016
6:00 p.m.**

**Council Chambers
City Hall**

CALL TO ORDER

The special meeting of the Madera City Council, the regular meeting of the Housing Authority of the City Madera, a special meeting of the Madera City Council a regular meeting of the City Council as the Successor Agency to the Former Madera Redevelopment Agency and the special meeting of City Council as the Successor Housing Agency for 06/08/16 were called to order by Mayor/Commissioner Poythress at 6:00 p.m.

Claudia Mendoza, Recording Secretary called roll for all three agencies.

ROLL CALL:

Present: Mayor Robert L. Poythress
Council Member Derek O. Robinson Sr.
Mayor Pro Tem Charles F. Rigby
Council Member Donald E. Holley
Council Member William Oliver
Council Member Andrew J. Medellin

Others present were City Administrator David Tooley, City Attorney Brent Richardson, City Clerk Sonia Alvarez, Unit Fire Chief Nancy Koerperich, Chief of Police Steve Frazier, Battalion Chief Matt Watson and Battalion Chief Jim Forga

PLEDGE OF ALLEGIANCE:

Mayor Poythress led in the Pledge of Allegiance.

PUBLIC COMMENT:

The first fifteen minutes of the meeting are reserved for members of the public to address the Council on items which are within the subject matter jurisdiction of the Council. Speakers shall be limited to three minutes. Speakers will be asked to identify themselves and state the subject of their comment. If the subject is an item on the Agenda, the Mayor has the option of asking the speaker to hold the comment until that item is called. Comments on items listed as a Public Hearing on the Agenda should be held until the hearing is opened. The Council is prohibited by law from taking any action on matters discussed that are not on the Agenda, and no adverse conclusions should be drawn if the Council does not respond to public comment at this time.

Mayor/Commissioner Poythress opened the public comment for all the meetings that were called to order. No comments were offered and Mayor/Commissioner Poythress closed public comment.

Mayor/Commissioner Poythress moved onto the Successor Agency to the Former Madera Redevelopment Agency agenda at 6:02 p.m., opened the Successor Agency agenda and adjourned that meeting at 6:40 p.m.

Mayor Poythress moved onto the Special Meeting of the City Council agenda at 6:44 p.m.

A. WORKSHOP

There are no items for this section.

B. CONSENT CALENDAR

There are no items for this section.

C. HEARINGS, PETITIONS, BIDS, RESOLUTIONS, ORDINANCES, AND AGREEMENTS

There are no items for this section.

D. WRITTEN COMMUNICATIONS

There are no items for this section.

E. ADMINISTRATIVE REPORTS

E-1 Report and Discussion of a Potential Public Safety Tax Ballot Measure; Request for Direction (Report by David Tooley)

David Tooley, City Administrator stated that late last summer the City received a request from the Madera Board of Supervisors as there was interest at the Board of Supervisors in exploring the idea of a public safety tax where a specific portion of the sales tax would be dedicated towards public safety. Mr. Tooley stated that the City was surprised as that's the last thing that they expected from the Board of Supervisors, but they had to give them credit. Mr. Tooley stated that the Board of Supervisors recognized that there was a significant need and they wanted to explore the idea of a public safety tax with the City.

Mr. Tooley stated that during a specific discussion in August when staff went to the City Council, they categorized it as a beginning of a discussion, but anything that the City did would have to be consistent with community expectations. There would be a great need for connection with the community in getting feedback, because ultimately, the Council couldn't declare a new tax. It is going to be subject to a public vote.

Mr. Tooley stated that staff began discussions with the County and while both agencies have a need for additional dollars for public safety, it became apparent that the County's needs were different than the City's. Several Council Members were involved in that discussion with several members of the Board. Mr. Tooley stated that the County's story is different than the City's. From his understanding, the County's need for a tax increase is probably significantly larger than the City's, so both agencies determined that they should both coordinate their actions, but at the same time they needed to pursue their actions differently because the needs were different enough that the stories/presentations to the public were going to be different.

Mr. Tooley stated that he understands that the County has completed an analysis/an evaluation of voter attitudes and consistent with Council's direction, City staff engaged individuals to do that same kind of effort for the City. Mr. Tooley stated that the Council had previously heard from their public safety professionals, they heard about the lack of proactive police time available and they heard about the need for an additional fire station. The City's needs are significant, but again, they need to be consistent with what community expectations are.

Mr. Tooley stated that Council would be hearing a report from the external consultants who have performed that evaluation for them. They will talk about voter attitudes, process and ultimately they will try to get some feedback from Council on whether they want staff to proceed with the next steps to engage the public and ask the public if this is a tax that they want to actually vote on.

Mr. Tooley introduced Charles Heath, TBWB Consultant who will make the lead presentation followed by his colleague, Tim McLarney.

Charles Heath a partner with TBWB Strategies stated that they are a firm that assists public agencies of different varieties such as cities, counties, school districts, transit agencies and others in evaluating the feasibility of ballot measures that would generate revenue for public services and facilities. Mr. Heath stated that he had the pleasure of working with one of the Council Members two years ago on the successful school bond measure for Madera Unified School District.

Mr. Heath stated that they have been engaged to look at the potential of this public safety funding source and to think about how they might package a measure to optimize their chances for success and to think about what the appropriate timing and structure of a proposal might be. Mr. Heath stated that he would start by providing a process overview from planning and preparing a revenue proposal for the ballot and getting from the front end of the process where you have a concept, a funding source and knowing they need additional revenue all the way through the proposal going to the ballot and voters weighing in on the issue.

Mr. Heath stated that the Council could see an overview of that process on their monitors. He stated that they are at the front end of that process right now which is the first step; the feasibility study. Mr. Heath stated that this is where they start to answer some of the big picture questions about if they think this is viable and if so, what does that measure look like in terms of a tax rate, programs and services that it would fund, the optimal timing and those types of issues.

Mr. Heath stated that coming out of that step, if they find it's a green light and they think the measure could be successful, then they move into a process of conducting community outreach in order to try to build consensus around the proposal that's now moving its way towards the ballot. Mr. Heath stated that typically involves some informational communication to raise awareness on what the City's needs are, but also some conversations to make sure they are getting feedback from the community so they can refine the proposal to take that feedback into account.

Mr. Heath stated that parallel to that, they are also working to take what they learn from the community and what they've learned through their feasibility analysis to build a strong measure for the ballot. Mr. Heath stated that usually culminates with the issue going back to the Council for formal action to place the measure on the ballot. Mr. Heath stated that at that point, they go through an important transition because once the measure is on the ballot, no public funds can be used to advocate for the passage of the measure. That is when an independent advocacy group/campaign committee needs to come together to communicate the reasons why voters may want to support this proposal. Mr. Heath stated that is where they get into the steps identified in terms of the advocacy campaign, voter outreach and persuasion, and vote strategies.

Mr. Heath stated that they are here today to talk about the feasibility study. The backbone of that feasibility study is the poll that they recently conducted of the voters in Madera in order to test a potential public safety funding measure and look at the specific components and priorities that the voters might be willing to support. Mr. Heath stated that in this process, they've been thinking about the basic viability, the appropriate timing, the structure and tax rate that they think voters might support, and the projects and programs that the voters may be willing to pay for. Mr. Heath stated that they also look at the larger political landscape as they head into a busy election year this fall and about competing issues and potential controversies that are out there that they might want to think about.

Mr. Heath introduced Dr. Tim McLarney who is the President of True North Research. Their firms collaborate on lots of revenue measure feasibility studies of this nature. Mr. Heath stated that Mr. McLarney is the survey research expert that conducted the poll. Mr. McLarney is going to summarize for the Council the findings of the survey that he recently conducted. Mr. Heath stated

he would come back and talk about some of the conclusions and next steps based on the findings from that survey.

Tim McLarney, President of True North Research stated that their specialty is a little bit different than TBWB; Mr. Heath's firm. Mr. McLarney stated that they are a little more niche and their focus is on working with public agencies around the state, primarily cities, in doing surveys like this to develop a statistically reliable understanding of the communities and the customers and ultimately the voters that they serve. Mr. McLarney stated that he would give the Council a little bit of background. Mr. McLarney stated that he and his business partner are a two person team that have designed and conducted nearly 1,000 research studies for public agencies and about one-third of that work is what they call revenue measure feasibility studies, which is what they are going to be talking about tonight, where the survey is designed to tell them if it's feasible to move forward with some type of revenue measure and if it is feasible, how would you go about structuring that measure in a way that it's consistent with a type of measure that the City's community is interested in supporting.

Mr. McLarney stated that they have had a lot of success to date; they've helped raise about \$24 billion in voter approved measures throughout the state. Mr. McLarney stated that if the Council went back to the beginning of the recession when everything became a lot more difficult in the world of trying to pass tax measures, for the obvious reasons, they [their firm] have been able to maintain a 93% success rate for measures that they recommend go to ballot. Mr. McLarney stated that he mentions that because as he goes through the presentation or perhaps in response to questions from Council, he may make reference to how the results were seen here compared to what they typically see on measures that have gone to the ballot. Mr. McLarney stated that he just wants the Council to have a sense for the experience from which he will be speaking. Mr. McLarney stated that as he's going through the [presentation] slide on the survey, he welcomes questions from Council as he goes or at the end, whichever may be the Council's preference.

Mr. McLarney stated that, quickly on the purpose, they are really trying to address three over-arching topics with the survey. The first is to answer that question of is a measure feasible. Mr. McLarney stated that when he says, "Is it feasible?" what he means is if this Council were to choose to place a measure on an up-coming ballot, does that have a reasonable chance of success. Mr. McLarney stated that sometimes when they do this research, the answer to that isn't "yes". He stated that sometimes when they look at the data, they really can't see a path to get someone to where they are today to where they need to be to be election ready and if that's the case, he'll be the first person to tell them that. Mr. McLarney stated that the last thing the Council, the administration or the community wants would be to invest the effort in a process that doesn't have a reasonable chance of success in the first place.

In the case that there is feasibility, that next question is "How do we structure this measure in a way that is consistent with what our community wants to support?" Mr. McLarney stated there are a lot of components to a revenue measure. There's the price tag, what they can fund with this, what it looks like, and what sort of accountabilities might be built into the measure to give a voter comfort when they are saying yes, that their tax dollars are going to be well spent. Mr. McLarney stated all of these elements of a package for a revenue measure, the survey will help guide that.

Mr. McLarney stated that finally, it is an opportunity for them [the firm] to gather some information that's helpful for developing communication strategies.

Mr. McLarney stated that he is a big believer that if an agency is going to take the step of putting a measure on the ballot and asking their voters to make a decision, it's really incumbent upon that agency to help inform voters about the decision they are asking them to make. Mr. McLarney stated that the survey helps them [the firm] in that respect as well.

Mr. McLarney stated a quick note on the methodology; how they went about doing this study. Mr. McLarney stated that this was a survey conducted in late April or early May. They were contracted to go after and complete 400 interviews and the City has less than 11,000 registered likely November voters in their community and he had thought it could be a struggle to get 400 interviews using proper random sampling techniques. Mr. McLarney stated they wound up with 544. They over-delivered about 144 interviews at no extra charge and that was largely because they had a really strong response from the community in terms of their willingness to participate in the study which was great.

Mr. McLarney stated that these individuals were chosen through what is called a stratified and clustered random sample. He would get into the details of that if the Council liked, but suffice it to say, the way they structure their samples, the goal was that at the end of the process, when they have their sample of 544, it in fact, reflects the City's likely November voter profile in the community on all the demographics that they know are related to voting behaviors such as age, gender, partisanship, and household party type.

Mr. McLarney stated that party type is actually very important as knowing that somebody's a Democrat, for example, tells him something about that person. Knowing that they live with another Democrat, tells him a lot more, because the household dynamic actually shapes how the individuals within a household tend to behave and if you share and reside with somebody who shares your politics, when they talk politics they reinforce each other, so if they are two Democrats they tend to be extra Liberal. If they are two Republicans who live together, they tend to be extra conservative. If they are in a mixed household, they fight about politics and that has the tendency to mitigate their behavior. So, household party type is something that they pay a lot of attention to in their samples, because it's one of the strongest predictors of how people vote on tax measures. Mr. McLarney stated that they ensure that at the end of this process, their sample is in fact reflective of that likely November universe on all of those dimensions that he just mentioned.

Mr. McLarney stated that recognizing it was a small community and knowing they wanted to maximize the sample here, they used three recruiting methods. They recruited by mail, email and by telephone.

Mr. McLarney stated that the individuals were given an opportunity to participate on-line through a password protected website. They had to have their own unique pin number to enter, so that they [the firm] knew who was at the end of that link so they could protect the site.

Mr. McLarney stated that individuals also had the opportunity to participate by telephone and they gave people the opportunity to participate in the study in English or Spanish whichever was their preference.

Mr. McLarney stated that because this was a random sample of 544 and not a census of all of the City's almost 11,000 likely November voters, it has a known margin of error due to sampling and in this case that is 4.1%. Mr. McLarney stated that means that they can be 95% confident that the results they are going to talk about tonight are within 4% of what they would have found had they spoken with every single one of the City's likely November voters.

Mr. McLarney moved on to the results. McLarney stated that the first [presentation] slide shows the initial ballot test. The idea is that very early in the survey, before they start getting into the details of what the measure could fund, what the needs are, and the arguments pro and con, they want to present to them a mock-up of what they [the firm] think that the 75 word ballot statement that would appear on the ballot could look like and get their reaction. Mr. McLarney stated that it is a really good gauge of where the community is at on the natural with respect to the proposal that the Council sees here.

Mr. McLarney stated that the language that the Council sees [on the presentation slide] is actually language that is appropriate for what is called a general tax. A general tax allows the City to spend those funds on any general City services, so it's Council's discretion to decide how those monies are spent. The advantage of a general tax as opposed to a special tax – if it's earmarked specifically for a narrow purpose, is that a general tax can be passed with a simple majority whereas a special tax requires a two-thirds super majority for passage.

Mr. McLarney stated that the language seen here [presentation slide] is also compliant with the latest rules on how this language needs to appear on the ballot. One of the things that is new is that they have to specify the duration and they have to specify how much money is going to be raised by this annually. Mr. McLarney stated that if they had done this a year ago, they didn't necessarily have to say that a one cent (1%) sales tax was going to generate \$3,500,000. The new legislation says you have to do that. Mr. McLarney stated they are using the latest language.

Mr. McLarney stated that the results of that initial ballot test indicate that 69% of the City's likely November voters said they would support this measure; 24% said they would oppose it and there was about 8% who were unsure. Mr. McLarney stated that for a general tax measure for a local municipality, they need 50%+1, so at this initial ballot test, they are about 19 points above the simple majority required for passage. Needless to say, that is a great place to start.

Mr. McLarney stated that another thing he would point out which the Council does not see here, is that when they break down these results they start looking at it by various sub-groups of the voters: by household, partisanship, age, gender, when they register, how long they've lived in the City, do they have kids, and by just about every other thing that the Council can imagine. There are about 40 different sub-groups that they look at. Mr. McLarney stated that there is only one out of all those 40 that supports this at less than 50%. Every single other one supports it at greater than a majority and there are only three that support it at less than 60%. Mr. McLarney stated that the City has very widespread support for this measure.

Mr. McLarney stated that they are not seeing a lot of variation in support for the measure by things like household party type; that is really unusual. Mr. McLarney stated that typically they see 30 and 40 points swings sometimes between dual Republican household and dual Democratic household in terms of their willingness to support tax measures. Mr. McLarney stated that in the City's community it was maybe 10% if he remembers correctly. So, there is a very widespread consensus that this is something that the community is interested in.

Mr. McLarney stated that they transitioned from that to their Projects and Services question. Mr. McLarney stated that the idea is two-fold. They are now going to start to educate the respondent more about what the measure can accomplish. Mr. McLarney stated they only had the 75 word statement up front; they can only say so many things in 75 words. Mr. McLarney stated that there they get to unpack this proposal into all the types of services and projects that could be funded and in that way they are starting to educate the respondent more about the proposal. The other thing it allows them to do is to understand of all the things you can spend the money on, which of these sort of rise to the top of the list from voters' priorities perspectives and are there things on this list that he would call an anchor; something that if the City had planned to use the funds for this, it may weigh down support. Mr. McLarney stated that there are no anchors on the list and in fact the lowest rated item had about three quarters of the voters say that they would favor spending some of the money on that and in fact just about everything on the list is wildly popular among the City's voters. The number one item being providing quick responses to 911 emergencies. Mr. McLarney stated that if the Council looked at the top [of the presentation slide] it is sort of a collection of public safety and public works together; those are the two categories that really capture the very top of this spectrum.

Mr. McLarney stated that if the Council were to choose to place this measure on the November ballot, there would be an election cycle and during that election cycle there would be a lot of

discussion and debate in the community about the measure. The City would have individuals who would recognize the need for it and would be strong advocates of the measure and stand up and argue to the community as to why this is needed and why they should vote yes. Mr. McLarney stated that the City might also have some opponents; people who think this is a bad idea and they are going to try to convince their neighbors and friends that they shouldn't be voting yes.

Mr. McLarney stated that for this to be a reliable gauge of the feasibility of the measure, they [the firm] need to simulate that kind of discussion and debate in the space of the interview so they know not only where the voter space is on the natural, which was that initial ballot test, and what's likely to happen to voter support to the measure once they encounter the type of discussion that they are going to be hearing in the ensuing months. Mr. McLarney stated that they do that by first testing positive arguments and the nature of the question is that supporters say blank and you insert a positive argument: Do you think this is a very convincing, somewhat convincing, or not at all convincing reason to support the measure. Mr. McLarney stated that the Council can see [by presentation slide] that a lot of those positive arguments resonate with the voters and many of them have better than 3 out of 4 voters saying that it's at least a somewhat convincing reason to support the measure.

Mr. McLarney stated that the top [of the presentation slide] is interesting because it's a little bit of a history lesson. The argument is that the City has grown to over 63,000 residents but the public safety services have not kept pace. The City has just four police officers on duty at a time and just two fire stations to serve the entire City. This measure will provide the funding needed to increase the City's police protection emergency response services to the level needed to keep the community safe. Mr. McLarney stated that was the number one positive argument.

Mr. McLarney stated that in this part of the interview, voters have heard more now about the City's proposal than they did initially. They have been exposed to a series of positive arguments and they also learn more about the services that can be funded by the measure and so they circle back to them and say, "Now that you've heard a bit more, where do you stand?" Mr. McLarney stated that despite starting at 69% which is quite a high number, it actually goes up to 72% at this point, so the City has almost 3 out of 4 voters saying they would support the measure; just 19% said no and again about 8.5% - 9% said they weren't sure.

Mr. McLarney stated that from here they also test negatives. The idea is that they will put on their opponent hat and they are going to think what an opponent of this measure might say or convey to the respondent. Mr. McLarney directed that the Council notice that they [the firm] test a somewhat shorter list of negatives than they do positives and there is a good reason for that. That tends to be an accurate reflection of what happens during a tax measure election cycle. The advocates of a measure tend to be larger in number, better organized, better funded and have a louder voice than folks who will oppose a measure so they [the firm] simulate that by testing fewer negatives.

Mr. McLarney stated that the negatives they test are designed to be hard hitting negative arguments. The kind of negative arguments that he would expect an opponent who would be worth their salt would come up with. For example, the number one was, "The County's planning to raise the sales tax too. We can't afford two sales tax increases." Mr. McLarney stated it is a little bit of a disingenuous argument because his understanding is that the County's sales tax is not going to include the City of Madera, but if he is an opponent, he could play on that and he could talk about double sales tax. Mr. McLarney stated that number two, they make the argument that City government can't be trusted with the tax dollars; they are going to mismanage the money. Mr. McLarney stated that he is not saying that is the City, but that is the kind of thing they tend to hear from opponents of tax measures. The reason he is bringing that up is because they are testing some hard hitting negatives because they want to know if should the City get that kind of opposition in their community, what happens to support for their measure. Mr. McLarney stated that this cools them back down to 69%, so they end right where they started; again, 19 points above the simple majority required for passage.

Mr. McLarney asked, "What does this all mean?" He stated that he had a couple of [presentation] slides on this and he would then hand [the presentation] back to Mr. Charles Heath. Mr. McLarney stated that he would circle back first to that over-arching question that he mentioned at the outset that they're trying to answer which is, "Is it feasible?" If this Council were to choose to place a sales tax measure on the November ballot, does it have a reasonable chance of success? Mr. McLarney stated that the answer to that question, in the City of Madera's case, is clearly yes. He stated that a lot of the things that they [the firm] want to see in place for a measure to be feasible are in place.

Mr. McLarney stated that they found through the space of the survey that they have a positive opinion of the City's performance in providing City services and that sentiment translated into strong natural support for the Council's measure. Mr. McLarney stated that right out of the gates with just that 75 word statement, the Council had 69% of the voters say they would support the measure and that is well above that 50% threshold that the City needs to be successful.

Mr. McLarney stated that the services and projects that the City can fund with the general tax and their anticipated funding were all popular. The positive arguments resonated and importantly at each point in the survey, where they [the firm] went back to the respondent and asked them that now that they'd heard more about the measure, where did they stand, all of those ballot tests checked in above the 50% threshold required for passage; in fact well above.

Mr. McLarney stated that the conclusion is not just that the City has a reasonable chance, the City is very well positioned to be successful in November should the Council choose to keep going. Mr. McLarney stated that having said that, he wanted to remind the Council that it is important to keep in mind that a poll like this is snapshot in time. It is not a crystal ball looking forward and saying that the City is going to get 69% on Election Day. What happens on Election Day isn't determined by what the City's poll says today. It is determined by everything that happens from here forward. Mr. McLarney stated that he said that because as promising as the poll results are, and they are very promising, it's always an uphill climb to Election Day. The City wants to be making smart decisions on how they structure the measure and the City needs to put the work in to have the conversation and keep that conversation going with their community about the measure so that the community understands the need, understands the plan and they understand ultimately the benefits to their community.

Mr. McLarney stated that the other thing he would mention is that as a general tax, again, one of the nice properties of the general tax is that it provides a lot of flexibility to the Council and they have the discretion to spend the money as they see fit. With that said, the public has made it pretty clear in this survey that they prioritize public safety and they prioritize public works and so as the Council discusses this measure moving forward, some of the bullets [shown in the presentation slide] regarding 911 emergency responses and reducing gang and drug-related crimes, those type of elements are the things that voters care about and those are the things that he thinks are underpinning the voters willingness to support the City's proposal at the level they have indicated.

Mr. McLarney stated that he would be glad to answer any question the Council may have about the survey or he could hand off to Mr. Heath so he could wrap up on his [presentation] slides and they can answer questions at the end.

No questions were asked at this time.

Mr. Charles Heath stated that these obviously were encouraging results and certainly suggest that there is an opportunity to move forward. Mr. Heath stated that he wanted to talk about what the process would be like should the Council choose to move forward, so as he mentioned at the outset, if the results of the feasibility study are a green light, the next step in the process is to begin the community outreach process. Mr. Heath stated that typically what they recommend is that the City think about two general audiences for conducting that outreach: The internal audiences such as public safety workers are obviously folks that will be asked questions about this, so the City

wants to make sure they are knowledgeable about what the City is proposing to do and can answer those questions as they come up in the community. Other City staff, Commissioners and the City Employee Associations are the types of groups the City would want to engage with first to be sure that a.) They are on board with the proposal and prepared to support it, but b.) Prepare to be ambassadors on the City's behalf in the community to talk about it and answer questions because inevitably they are going to be seen as experts and spokespeople for an effort like this.

Mr. Heath stated that from there he thinks the Council wants to think about a second broader audience of external stakeholders in the community. Those could be elected leaders, various other local agencies that cover the area, business leaders in the community as oftentimes when they talk about sales tax, businesses want to understand how this would impact them and sort of issues of competitiveness related to sales taxes in other areas so that is a level of outreach that needs to occur, faith community, agricultural community leaders and neighborhood leaders. Mr. Heath stated that they would want to work with the City to put together a list of those folks that they [the firm] would want to reach out to and make sure they understand what the City is proposing to do and also have an opportunity to provide feedback.

Mr. Heath stated that the last group that the City wants to think about is the voters at-large. Typically, it doesn't work well for voters to be surprised or caught off guard when they see a tax proposal on their ballot. Mr. Heath stated that they believe that proactive outreach to the voters oftentimes will use a combination of direct mail, e-mail and some of those tools to make sure that the City is able to tell their story about the current levels of public safety services that are available, some of the funding needs that the City has and why the City is thinking about a proposal to address those needs. Mr. Heath stated that is really priority number one here going forward to engage in this outreach process.

Mr. Heath stated that from there they [the firm] need to take what they've learned from Mr. McLarney's survey about the priorities in the City's community in order to build the actual documentation that would become the measure that goes before voters. Mr. Heath stated that takes a couple of forms: The resolution that the City adopts that would actually place the measure on this November's ballot. The ordinance that contains all the specific features of the measure which in essence is a legal document that the voters are adopting if they vote yes. The ballot question that the voters would actually vote on that would appear on their ballots this November.

Mr. Heath stated that it would be quite a long ballot, so there are many voters that will walk into the voting booth without having thought through the many, many issues they are going to be asked to vote on and so what they actually read on the ballot is going to be really important for determining how they vote and that process culminates with the Council vote to actually put this on the ballot.

Mr. Heath stated that they would then move into the advocacy campaign and as he mentioned earlier, this has to be privately funded. No City resources can be used to support advocacy on behalf of the ballot measure so they need to think about who might lead a group like that to take the process forward once the City needs to step back and how they raise the resources to make sure they can get the message out to voters about why this measure is worthy of their support. Mr. Heath stated that then there's a variety of different campaign strategies they would utilize to help build support and ensure success for this measure.

Mr. Heath stated that finally the last step in the process is to get out the vote process. The presidential general election this November is going to generate high voter turn-out so he doesn't think they have to worry about getting people to vote although local measures like this will appear at the bottom of a very long ballot. Mr. Heath stated that he thinks anybody with an interest in a local ballot measure this year needs to have a strategy to focus on making sure the voters go all the way down the ballot and don't forget the important local issues at the bottom of the ballot.

Mr. Heath stated that more specifically about the timeline, obviously they are here tonight talking about the findings from the feasibility study, where he thinks they need to go from here is to utilize the remainder of this month and next month to conduct that information outreach that he described and to begin the process of working with the City Attorney to draft the ballot measure so that can come back to the Council.

Mr. Heath stated that they are tentatively targeting the August 3rd Council meeting as the date that they would bring the proposed ballot measure back to the Council for formal action. The deadline to qualify a measure for the November 2016 ballot is August 12th, so August 3rd gives them time to conduct that outreach and time to develop the measure but still get in before that deadline.

Mr. Heath stated that September is when they would make that transition to the advocacy campaign so that group would need to get together and get organized because October 10th is when the County Registrar of Voters is going to mail ballots to those many permanent absentee voters and voting will begin, so an advocacy campaign would have needed to get a good start ahead of that October deadline.

Mr. Heath stated that later in October would be the deadline to register to vote and Election Day would be on November 8th.

Mr. Heath stated that is how they've mapped out the process from here. Mr. Heath stated that he and Mr. McLarney would both be happy to answer any questions the Council may have about the poll or the process.

Council Member Oliver asked if there was any analysis of how having a litany of tax and revenue generating measures on a November ballot might help or hurt the City's initiative.

Mr. Heath stated that they factored that into their thinking in conducting the feasibility study. One was if the levels of support they were seeing were much more marginal, for a 50% measure if the City was sitting at 53-54%, he would be concerned that the other competing tax proposals might be enough to drive the City under the threshold required for passage. Mr. Heath stated that the City has such a substantial margin above that threshold that they are comfortable and this is also one of the reasons they are placing their emphasis on a general tax as opposed to a special tax because the support is very strong. It is strong within the context of a simple majority measure. In the context of a two-thirds measure, he thinks the City is more vulnerable and those other competing issues could be a problem.

Mayor Pro Tem Rigby asked Mr. McLarney to hit quickly on the findings that the City had involving a sunset to the general tax versus not.

Mr. McLarney stated that one of the questions that they did address in the poll was if somebody was unsupportive of the measure at a certain point in the poll they were asked what if the measure that they just described was for a period of seven years would they vote yes or no on the measure. What they found was that it resulted in a modest boost in support for those; some of the no voters were willing to come on board because of that, however, he would be the first to say that there's certain things that surveys are really good at and that they can get really good accurate data on; sunset is not one of them.

Mr. McLarney stated that the reason was the following: When voters see that 75 word ballot statement, what they see is what it is funding and how much it is going to cost them. Those are the two things that are really the weighty matters that they consider when they are deciding to vote yes or no. Duration, at best, is a distant third and so much so, that they have done split sample tests where they've tested the same measure but with sunsets of 10, 20, 30 and 40 years; they get the same answer because the voters are looking right by it.

Mr. McLarney stated that if the election cycle were to happen in a vacuum and they don't have a sunset, for the most part, voters don't pay a lot of attention to that. The issue of the sunset really becomes does it get raised by an opposition. Does it become something that the opponents focus their attention on? Once a voter's attention is focused on the duration, 10 years sounds like an eternity. Mr. McLarney stated that his point to that is they did test it and it showed a modest increase but it's really not so much what the poll says as that the Council needs to think about what is likely to transpire during the election cycle.

Mayor Pro Tem Rigby thanked Mr. McLarney.

Council Member Holley asked for clarification regarding a general tax versus a special tax.

Mr. McLarney stated that they are recommending a general tax because as Mr. Heath mentioned, the poll numbers the City has are very strong. For a City measure to come in at 69% is great. The problem is that a special tax requires two-thirds so even at 69%, as strong as those numbers are, the City is within the margin of error of the two-thirds limit that the City would need to make sure they hit in order to be successful plus as Mr. Heath also discussed, it's going to be a crowded ballot, it's going to be noisy. If the City were to go for a special tax at two-thirds, the risks that the City doesn't actually hit the two-thirds due to events that happen between now and Election Day are quite high whereas with a simple majority measure, the City has much more room and buffer above the required threshold for success and the reality is that it doesn't impact how you can spend the money anyways. The City raises the same amount of money and the City spends it on the same type of services, then the question becomes do you want to set the bar at 50% or do you want to set the bar at two-thirds. They are recommending that the City go for the general tax which has a 50% threshold.

David Tooley, City Administrator stated that obviously the Council is not doing anything that is binding tonight. What staff is looking for is a sense of direction from the Council. Mr. Tooley asked if the Council would like staff to proceed down this path with the next incremental steps. Mr. Tooley stated that ultimately where the path leads the Council is that they will make a decision on whether or not the Council will present a ballot measure for the public's consideration. Mr. Tooley stated that he believes the target date on that, if they proceed down the path, is the first meeting in August, so again, that is kind of the Council's timeline. Mr. Tooley addressed the Mayor and stated that staff was looking for direction this evening.

Mayor Poythress asked the Council if they were good for moving forward. Council gave a consensus.

Mr. Tooley thanked the Council.

Mayor Poythress stated that it was a great presentation.

F. COUNCIL REPORTS

There were no items for this section.

G. CLOSED SESSION

There are no items for this section.


The meeting was transitioned and the gavel was handed to Chairman Derek Robinson to proceed with the other meetings on this joint agenda.

ADJOURNMENT

The Special Meeting of the City Council was adjourned by Mayor Poythress at 7:19 p.m.

CONSISTENCY WITH THE VISION MADERA 2025 PLAN


Approval of the minutes is not addressed in the vision or action plans; the requested action is also not in conflict with any of the actions or goals contained in that plan.



SONIA ALVAREZ, City Clerk



ROBERT L. POYTHRESS, Mayor



Prepared by:
ZELDA LEÓN, Deputy City Clerk

